



CITY OF
Swainsboro GEORGIA
Crossroads of the Great South

City Council Meeting

September 08, 2020

The regular meeting of the Mayor and City Council, held Tuesday, September 08, 2020 at 6:00 P.M. at the Swainsboro Fire Department. Social distancing was observed.

Members Present: Sconyers, Stafford, Parker, Collins, Stevens, & Faulkner

Members Absent:

Prayer of Invocation: Rev. Brad McKenzie

Motion was offered to accept the minutes as read from the previous meeting.

Motion: Stafford Seconded: Faulkner 5-0
Stevens absent

A. Consensus Business

None

B. New Business

1. Council head the first reading of a mandatory mask ordinance as follows:

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF SWAINSBORO, GEORGIA, CHAPTER 62 -- OFFENCES AND MISC. PROVISIONS, -- BY ADDING SECTION 62-15 "REQUIRING FACE COVERINGS TO BE WORN IN PUBLIC DURING THE COVID -19 PUBLIC HEALTH EMERGENCY", AND FOR ALL OTHER LAWFUL PURPOSES.

WHEREAS; the Mayor and City Council; as the governing body of the City of Swainsboro are empowered to provide for the health safety and welfare of its residents, visitors, employees, and businesses within the city; and

WHEREAS; the spread of the COVID -19 virus has been declared a global pandemic by the World Health Organization (WHO); and

WHEREAS; the Centers For Disease Control ("CDC") has stated that COVID -19 spreads very easily when an infected person (who may or may not exhibit symptoms) talks, coughs, or sneezes, in close proximity (within six feet) of other, and

WHEREAS; the President or the United States has declared the spread of COVID -19 a national emergency; and

WHEREAS; more than three million people in the United States have been confirmed infected and

WHEREAS; the Governor of Georgia has declared the spread of COVID - 19 a public health emergency in the state; and

WHEREAS; there has been a significant increase of COVID - 19 cases in Emanuel County and the City of Swainsboro in recent weeks, and

WHEREAS; city staff and the governing body have been closely monitoring the spread of COVID - 19 with guidance and direction from state and federal agencies, as well as medical professionals and

WHEREAS; The Georgia Commissioner of Public Health has recommended that individuals

wear facial covering over the nose and mouth to mitigate the spread of COVID - 19 when in public places where social distancing is not possible, and

WHEREAS; O. C. G. A. 38-3-28(a) grants political subdivisions the power to supplement the Governor's Executive Order: and

WHEREAS; This ordinance is intended to be as a supplement to the Governor's Executive Order 06.29.20.02 which describes health and safety procedures related to the COVID - 19 public health

NOW THEREFORE the Mayor and City Council of the City of Swainsboro Georgia hereby ordains and declares that a local state of emergency continues to exist within the territorial limits of the city and shall continue until the requirements of this declaration are abated.

NOW, THEREFORE, BE IT HEREBY ORDAINED that mask or facial coverings of the nose and mouth shall be required in public places within the City of Swainsboro to slow the spread of COVID - 19 as follows:

A. EXCEPTIONS INCLUDE

1. The requirement cannot be applied to people who are eating or drinking,
2. The requirement cannot be applied to people who have difficulty putting on or taking off a face covering without assistance
3. The requirement cannot be applied to people who have a religious objection
4. The requirement cannot be applied to people who have a medical reason for not wearing a face covering.

B. ENFORCEMENT

1. Enforcement can only be against individuals. People who operate business and the business themselves cannot be held liable for failures of their customers to comply.
2. The Requirement cannot be enforced at any Polling Place.
3. The Requirement cannot be enforced against individuals on residential property.
4. The requirement cannot be enforced against people on private property when the owner or occupant of the private property does not consent to enforcement. Such businesses, etc. can be required to post a reasonable public notice stating whether they consent to enforcement or do not consent to enforcement on its property.
5. A warning must be issued by the governing body who impose a face covering requirement about the health risks of not wearing a face covering prior to issuing a citation and shall make good faith efforts to distribute free mask to those who cannot afford a mask. If an individual is found in violation and cannot afford a mask, the local government must provide them a mask at the local government's expense.

C. PENALTIES

1. The maximum penalty cannot be larger than \$50.00 per offense.
2. Penalties (criminal or otherwise) cannot be imposed on any private business, establishment, corporation, non-profit corporation, or organization.

Mayor and the City Council of the City of Swainsboro have the authority to control the terms of entry onto property owned or leased by the local government regardless of whether the Threshold Requirements is met or not.

2. Council will consider the adoption of a resolution to renew the loan for the community hanger at the airport. The balance on the loan is \$633,922.00 this a joint loan between the city and the county. Motion was made to renew the loan.

Motion: Stevens Seconded: Stafford 6-0

3. Council considered the setting of the 2021 milage rate and water rates. Adm. Lawson stated the 2021 budget had been advertised and approved by council at a previous meeting. He stated because this year the city had a negative digest the rollback rate would change from 19.353 to 19.405. This would not continue a tax increase because the city would not be collecting any more money than the previous year. He also stated the water budget did not require an increase in water rates. Motion was then made to accept the milage rates presented including no water rate increase.

Motion: Stevens Seconded: Stafford 6-0

4. Mayor Schwabe asked council to consider the purchase of some PTE suits for Emanuel Medical Center. He stated he had spoken with the Administrator of the hospital and asked what the city could do to assist them in this time of crisis. Mr. Scott stated that the hospital was in need of some additional medical PTE suits that would help the staff. These 12 suits would cost approximately \$18,000. This money would be reimbursed from the CARES money if the city gets a second round of reimbursements. Motion was made to approve the Mayor's recommendation.

Motion: Stevens Seconded: Stafford 6-0

C. Old Business

1. Mr. John Stover from Cater and Sloope Engineering Firm gave council a presentation of a preliminary drainage evaluation from the Robin Road Project. He presented three options that would help elevate the wet areas. Council asked questions on the different options and Mr Stover explained that option three was the only option that would be in the city's right-of-way and no easements would have to be obtained. The cost estimate for option number three was \$74,195.00.

Motion was then made to accept option number three and advertise for bids.

Motion: Stafford Seconded: Faulkner 6-0

An Executive Session was requested by Mayor Schwabe to discuss (1) a real estate issue, (2) advise council on a recommendation from legal council, and (3) personnel.

Roll Call vote was taken All in Favor

AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Charles Schwabe, who, after being duly sworn, deposes and OD oath states the follow:

I was the presiding officer of a meeting of the Swainsboro City Council held on the day of August 08, 2020.

That it is my understanding that 0.C.G.A 550-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception. The subject matter of the closed meeting or closed portion of the meeting held on the 8th day of August, 2020, which was closed for the purpose of real-estate and legal issue requested by Mayor Schwabe as allowed by 0.C.G.A., Title 50, Chapter 1.1, was devoted to matters within thaw exceptions and as provided by law.

This affidavit is being executed for the purpose of complying with the mandate of 0.C.G.A. 850-144(h) that such an affidavit be executed.

Council re-entered regular session.

Mayor Schwabe informed council that he has had a constitute approach the city about renting the recycle center. Mayor Schwabe stated the rent of \$15,000 per year was discussed and the business owner would do all of the remodeling needed for his operation. No one on council objected.

Council also discussed the given of a signing bonus to all new entry level Fire Fighters and Police Officers. The signing bonus would be \$500.00 upon approved emolument and additional \$500.00 when the entry level person finished their training. Motion was made to approve .

Motion: Stevens Seconded: Sconyers Passed 3-3 Mayor Yes
Faulkner, Collins, Parker Objected

Council discussed the future of the city of Swainsboro's agreement with JACOBS. Council discussed the dissatisfaction with Jacob's performance and doing the job. Council then decided it was time that some action be taken. Motion was then made to terminate all services provided by Jacobs and give them to September 15, 2020 to remove all equipment and personnel.

Motion: Stevens Seconded: Stafford 4-2
Parker and Collins against

Council then discussed the future of the Water/Pubic Works Departments. After interviewing two companies that could come in take over the services. Motion was made to hire Clearwater from South Carolina to come in on a interim basis until a request for proposal could be written to bid the projects out. They will operate on a month to month basis, including the hiring of all present employees working under Jacobs.

Motion: Stevens Seconded: Stafford 4-1
Faulkner - opposed Collins - Abstained

Submitted: Al L. Lawson, City Adm.